



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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NOV 10 2011

Ref: 8EPR-N

John M. Cater  
Federal Highway Administration  
Colorado Division  
12300 W. Dakota Ave., Suite 180  
Lakewood, Colorado 80228

Re: US 550 South Connection to US 160 Draft  
Supplemental Environmental Impact  
Statement: CEQ # 20110342

Dear Mr. Cater:

The U.S. Environmental Protection Agency, Region 8, has reviewed the Draft Supplemental Environmental Impact Statement (SEIS) prepared by the U.S. Department of Transportation Federal Highway Administration (FHWA) for the US Highway 550 South Connection to US Highway 160. Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609.

**Project Background**

The Draft SEIS supplements the US Highway 160 from Durango to Bayfield Final EIS, completed by FHWA in May 2006 (US 160 EIS). It has been prepared because new land use issues have emerged on a portion of the originally proposed project in the time since the Record of Decision was signed in November 2006. The issues prompting a reevaluation of the proposed alignment of the US 550 South connection to US 160 are: (1) construction of a gas well in the alignment selected in the 2006 US 160 EIS, and (2) determination that a portion of the Marie J. Webb Ranch crossed by the selected alignment is a historic property.

The Draft SEIS analyzes impacts associated with a 1.2 mile portion of the project considered in the 2006 US 160 EIS, revising the length and location of US 550 from south of County Road 220 to its connection with US 160, including construction of a new interchange at the US 160/US 550 (south) intersection. The Preferred Alternative considered in the document lengthens the realigned portion to 1.5 miles long to reduce land use conflicts and improves the realigned portion of US 550 from a two-lane to a four-lane highway. The NEPA analysis includes a No Action alternative and three action alternatives. According to the Draft SEIS, the "Revised G Modified Alternative" was selected as the Preferred Alternative because it has the least amount of impacts to residents, businesses, irrigated farmlands, wildlife habitat, and wetlands as well as appearing to be the least harm alternative under Section 4(f).

## **Air Quality**

The EPA appreciates the air quality discussion in the Draft SEIS and the attention to potential Mobile Source Air Toxics (MSATs) impacts. The analysis of emissions of formaldehyde, an MSAT associated with vehicle emissions and noted in the SEIS as a pollutant increasing in the region, is particularly helpful in displaying how the alternatives compare to one another and to the baseline conditions. The MSAT discussion has been updated from what was presented in the 2006 US 160 EIS to reflect FHWA's updated October 13, 2009 interim guidance on MSATs. While there are positive elements of this interim guidance, the EPA continues to disagree with major pieces of the approach taken in this interim guidance, as well as much of the specific language used in the guidance.

The discussion in Section 4.5.3.5 regarding incomplete or unavailable information for project-specific MSAT health impacts analysis essentially states that there are limitations with the existing modeling tools and that reliable methods do not exist to accurately estimate the health impact of MSATs at the project level. While there are of course important areas of uncertainty with any model, the EPA believes there are analytical tools available that yield meaningful information for the decision-making process. The EPA notes that the Draft SEIS focuses its discussion on the MOBILE6.2 model and its limitations; however, there is only a passing remark with regard to the 2009 draft version of the EPA's current and significantly improved model Motor Vehicle Emissions Simulator (MOVES2010), which is MOBILE6.2's replacement. We recommend that the discussion of models used to estimate MSAT emissions be updated with regard to EPA's MOVES2010 model, which was officially released on March 2, 2010 (75 FR 9411) and the revised/updated version, MOVES2010a, which was released on September 8, 2010. (See <http://www.epa.gov/otaq/models/moves/index.htm> for further information.)

The EPA commends the Colorado Department of Transportation for development of their Draft Air Quality Action Plan to provide direction on programmatic mitigation solutions. Because this Plan is a key element of the air quality mitigation for the proposed project, we recommend that the Plan be provided as an appendix to the Final SEIS.

## **Wetlands and Water Resources**

The 2006 US 160 EIS contained excellent analysis of potential water quality impacts to surface water features, including modeling of annual loading for highway runoff constituents and an analysis of the level of removal required for best management practices (BMPs) to achieve no increase in mass loading of pollutants. It would be helpful for the Final SEIS to briefly summarize this information with respect to Wilson Gulch, to put the BMPs listed in section 4.7.7 into perspective. Additionally, we note that the information in the 2006 US 160 EIS for state water quality classifications and impairment status is based on reports from 2002 and 1999, respectively, and recommend that the Final SEIS describe the current classification and status for Wilson Gulch.

We appreciate the inclusion of Tables 3-3 and 3-4, classifying each of the wetlands in the project area and defining their functions and values. This information helps to put the impacts discussion in Chapter 4 into context. Although impacts to wetlands associated with the Preferred Alternative are minor, we are pleased to see the commitment to mitigate those impacts concurrently or in advance of project impacts.



## Conclusion and EPA's Rating

Based upon our review of the Draft SEIS for the US 550 South Connection to US 160, we are rating this document as "Lack of Objections" (LO). The "LO" rating indicates that our review has not identified any potential environmental impacts requiring substantive changes to the proposed plan amendment. While EPA believes the Draft SEIS adequately sets forth the environmental impacts of the alternatives, we have suggested the addition of clarifying language or information.

If you have any questions or would like to discuss our comments, please contact me at (303) 312-6925. You may also contact Molly Vaughan, lead reviewer for this project, at (303) 312-6577 or by email at [vaughan.molly@epa.gov](mailto:vaughan.molly@epa.gov).

Sincerely,



Suzanne J. Bohan  
Director, NEPA Compliance and Review Program  
Office of Ecosystems Protection and Remediation

Enclosure: EIS Rating System Criteria





# U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

## Definitions and Follow-Up Action\*

### Environmental Impact of the Action

**LO - - Lack of Objections:** The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC - - Environmental Concerns:** The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO - - Environmental Objections:** The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU - - Environmentally Unsatisfactory:** The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

### Adequacy of the Impact Statement

**Category 1 - - Adequate:** EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 - - Insufficient Information:** The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 - - Inadequate:** EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

